

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

MARC S. KIRSCHNER, as the Trustee of the Refco  
Litigation Trust,

Plaintiff,

v.

CHRISTOPHER SUGRUE and JOHN DOES,  
individuals,

Defendants.

Civil Case No. \_\_\_\_\_


**STATEMENT IN LIEU OF RULE 7.1 DISCLOSURE**

Plaintiff Marc S. Kirschner brings this action as the Trustee of the Refco Litigation Trust. Pursuant to the Modified Joint Chapter 11 Plan of Refco Inc. and Certain of its Direct and Indirect Subsidiaries, as confirmed by the United States Bankruptcy Court for the Southern District of New York on December 15, 2006, Plaintiff, as Trustee of the Litigation Trust, is duly authorized to commence all claims and causes of action formerly owned by the bankruptcy estates of Refco Inc. and certain of its subsidiaries.

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Plaintiff respectfully submits that Plaintiff need not file a Rule 7.1 Disclosure because no Refco entity is named as a party to this lawsuit.

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October 16, 2007